

**AMENDMENT OFFERED BY MR. COSTELLO OF  
ILLINOIS  
TO THE AMENDMENT IN THE NATURE OF A  
SUBSTITUTE**

At the end of the bill, add the following new section:

1 **SEC. 16. LIMITATIONS ON OFF-SHORE PERFORMANCE OF**  
2 **CONTRACTS FOR THE PROCUREMENT OF**  
3 **GOODS AND SERVICES.**

4 (a) CONVERSIONS TO CONTRACTOR PERFORMANCE  
5 OF ADMINISTRATION ACTIVITIES.—Except as provided in  
6 subsection (c), an activity or function of the Administra-  
7 tion that is converted to contractor performance under Of-  
8 fice of Management and Budget Circular A-76 may not  
9 be performed by the contractor or any subcontractor at  
10 a location outside the United States.

11 (b) CONTRACTS FOR THE PROCUREMENT OF SERV-  
12 ICES.—(1) Except as provided in subsection (c), a contract  
13 for the procurement of goods or services that is entered  
14 into by the Administrator may not be performed outside  
15 the United States unless it is to meet a requirement of  
16 the Administration for goods or services specifically at a  
17 location outside the United States.



1       (2) The President may waive the prohibition in para-  
2 graph (1) in the case of any contract for which the Presi-  
3 dent determines in writing that it is necessary in the na-  
4 tional security interests of the United States for goods or  
5 services under the contract to be performed outside the  
6 United States.

7       (3) The Administrator may waive the prohibition in  
8 paragraph (1) in the case of any contract for which the  
9 Administrator determines in writing that essential goods  
10 or services under the contract are only available from a  
11 source outside the United States.

12       (c) EXCEPTION.—Subsections (a) and (b)(1) shall  
13 not apply to the extent that the activity or function under  
14 the contract was previously performed by Federal Govern-  
15 ment employees outside the United States.

